

AN
ACT
For Approbation and Admission of
Ministers of the Gospel
TO
Benefices and Pulique Lectures.

Friday, March 16. 1659.

O Rdered by the Parliament, That this Act be forth-
with Printed and Published.

THOMAS S^r NICHOLAS,
Clerk of the Parliament.



LONDON,
Printed by John Streater, and John Macock, Printers
to the Parliament, 1659.

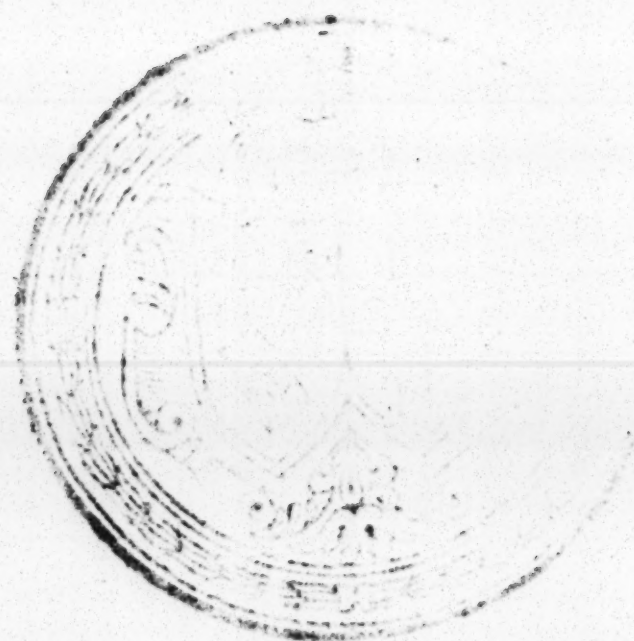
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For Approbation and Admission

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Benefices and Publick Lectures.

FOrasmuch as it is the Duty and Interest of Magistrates to take Care of the Church and of the provision of godly and able Ministers for it, Be it enacted, That every Person who shall from and after the fifteenth day of March, One thousand six hundred fifty

fifty and nine, be presented, nominated, chosen or appointed to any Benefice, formerly called Benefice With Care of Souls, or to preach any Publick seled Lecture in England or Wales, shall before he be admitted unto any such Benefice or Lecture, be judged and approved by the Persons hereafter named, to be a Person of godly life and sufficient abilities for the work of the Ministry, and a Person ordained thereunto. And that no Person to be presented after the said fifteenth day of March, but such as shall be so approved and admitted, shall be a publick Preacher, or take or receive any such Benefice as aforesaid or the profits thereof. And be it further Enacted, That Doctor Reynolds, Mr Calamy, Mr Manton, Mr Ash, Mr Haviland, Mr Jacombe, Mr Jenkin, Mr Cooper, Mr Case, Doctor Spurstow, Mr Bates, Mr Poole, Mr Woodcock, Doctor Drake, Mr Nalton, Mr Whitaker, Mr Guibon, Mr Carryl, Mr Jackson, Mr Row, Mr Sangar, Mr Sheffeld, Mr Barker, Mr Watson, Mr Taylor, Mr Lye, Mr Ralph Breddock, Mr George Griffith, Mr John Meriton, Doctor Horton, Doctor Annesley, shall be and are hereby nominated, constituted and appointed Commissioners for such approbation & admission as is aforesaid; And the said Commissioners, or any five or more of them met together in London, are hereby authorized to Judge and take knowledge of the ability and fitness of any Person so presented, nominated, chosen or appointed, according to the Qualification above mentioned; And upon the approbation of such his ability and fitness, Grant unto such Person admission to such Benefice or Lecture by an Instrument in Writing under a Common Seal to be appointed by the said Commissioners or any five of them, and under
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the hand of the Register for the time being to be also nominated by the said Commissioners or the greater number of them ; Which Instrument, the said Register shall cause to be entered in a Book for that purpose, and kept upon Record.

And it is hereby Enacted, That the said person so admitted into any such Benefice, shall be possessor and perfect Incumbent to all intents and purposes of the same, and intitled thereby to all the Profits, Perquisites, Rights and Dues incident and belonging thereunto, as also the Person that shall be so admitted to any Lecture as aforesaid, shall be thereby enabled (according to the Establishment and Constitution of such Lecture) to preach therein, and to have and receive the Stipend or Profits to such Lecture belonging.

Provided alwaies, That no Person who shall be nominated or presented for approbation as aforesaid, shall be concluded by any Vote of the said Commissioners which shall passe in the negative as to his approbation, unless for reasonable Cause, and that nine or more of the said Commissioners be present at such Vote ; And that the names of the Refusers be registered in a Book to be kept for that purpose, Whereunto any Person may resort.

And it is further Enacted, That all Patrons of any Benefices that are now void, shall within six moneths next after the 15th Day of March aforesaid, and of any Benefice that shall hereafter be void, within six moneths next after the avoydance of the same, Present unto the said Commissioners or any five of them, some fit Person to be admitted ; and for default of such Presentation within that time, the Presentation for that turn shall devolve by Lapse unto the Chancellor and Scholars of the Universities of Oxford and Cambridge respectively,

ctively, according to the Distribution of the Statute in the Case of Popish Recusants in the third year of the late King James, Chapter the fifth.

Provided that the Patrons, any time before the University have presented, may have the same Liberty to present their Clerks after the six moneths Lapse incurred, as according to Law they might have done in former times.

And be it further enacted, That the Patron or Patrons shall have the same remedy against the Commissioners aforesaid, as in like case he or they had against the Ordinary heretofore, and also against Disturbers; And that in case of suit to be had against the Commissioners, it shall be sufficient without naming any Person, to bring such suit against them by the name of Commissioners for approbation and admission of Ministers, and Process against them shewn to, and a Copy thereof delivered by the Sheriff or his Ministers to the Register, be a sufficient serving of such Process and shall be a sufficient Warrant for the Sheriff to return the Process served.

Provided also, and be it hereby enacted, That the Courts in which such suits shall be, are hereby respectively enabled to award any Writ to the Sheriff of the County where such Benefice or Lecture shall be for the putting of any Clerk into possession, as heretofore they might have done to any Bishop or Metropolitan.

Be it further enacted, That the said Commissioners or any nine of them, shall have power by Writing under their Seal, to nominate foure or more Persons of known Piety and Learning, for and in every County of England and Wales, who or any three of them so nominated in their respective Counties, shall have power to examine such Person as shall be presented or nominated to any Bene-

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Benefice, or is to be admitted to any Lecture Within the said respective Counties, touching his fitness and abilities for the same, and to Certifie in Writing With their names subscribed, their Opinion and Judgment thereupon to the Commissioners herein named; And in case that Certificate shalbe made of the fitness & ability of such Person, the Commissioners shal proceed thereupon to admit him, as fully to all intents as if that he had been examined and approved by themselves. And it is further Enacted, That during the vacancy of such Benefices, in default of such Presentation, the said Commissioners or any five or more of them, have hereby Authority to sequester the Fruits & Profits thereof, for providing an able and goodly Preacher to serve the Cure, & giving him a reasonable allowance, rendering the Over-plus to the next Incumbent. And be it further declared and Enacted, That no person shall be admitted unto such Benefice or Lecture, unless hee bring With him a Testimonial or Certificate from three Ministers of the Gospel of known piety and learning, and do also give satisfaction of his fitness to the said Commissioners or any five of them. And whereas for the better maintainance of Preaching Ministers, several Augmentations have been heretofore granted, Be it further Enacted, That all persons or person to Whom after the said 15th day of March any Augmentation shall be granted, before he or they receive the same, shall obtain the approbation of the said Commissioners or five of them as a person qualified, as is before mentioned; And in case of approbation, such approbation shall be entered by the said Register, Who under his hand shall also signifie the same to such person or persons as are or shalbe authorized to pay such

Augmentation, who are hereby required and authorized from time to time to pay the person or persons so approved, such Augmentation as shall be granted as aforesaid unto him or the place where he preacheth, taking his or their Acquittances for the same. Provided, and it is hereby declared, that this Act, or any thing therein contained, shall not be construed to extend unto any Benefices Ecclesiastical, that were not presentative before the Ordinance for the Abolition of Bishops, nor to any Lectures preached or read in any of the Universities or other Colledges.

Provided also, and be it hereby Enacted, That all Ministers having Parochial Charge, do read the Scriptures, Preach, Administer the Sacraments of Baptisme and the Lords Supper, Catechize, and perform all other Duties according to the Directory for the Publick Worship of God, established by Ordinance of Parliament the third of January 1644.

Provided also, and be it hereby Enacted, That the Fees upon every Approbation and Admission, be only Thirteen shillings and Four pence; that is, To the Register, six shillings eight pence only; & the other six shillings eight pence to be disposed of for the defraying of incident Charges, as the said Commissioners or any five of them shall appoint.

And be it further Enacted and Ordained, That such Persons or any five or more of them that the Commissioners in this Act named from time to time according to the Instructions mentioned in this Act, shall nominate and appoint in the respective Counties of England and Wales for the approving of Preaching Ministers unto Livings, With Cure and Lectures in their respective Counties, shall from time to

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to time have Power and Authority ; And are hereby Authorized to ordain Preaching Ministers in their respective Counties, according to the Form and Directions of an Ordinance of the Lords and Commons in Parliament Assembled of the 29. of August, 1648, Intituled, The Form of Church-Government to be used in England and Ireland, So as such Persons, nominated as aforesaid, be Ordained Ministers.

And Be it further Enacted and Ordained, That the publick Professors of Divinity, and the Divinity Lecturers, and the Heads of the houses respectively, in the respective Universities of Oxford and Cambridge, or any five or more of them, being Ministers Ordained, shall from time to time have power and authority, and are hereby authorized to Ordain Preaching Ministers in the said respective Universities, according to the Form and Directions of the said Ordinance of the Lords and Commons of the 29 of August, 1648.

And Be it further Enacted, That the said Ordinance of the 29. of August, 1648, Intituled, The Form of Church-Government to be used in England and Ireland, shall stand and be in force, and put in Execution. And Whereas in the said Ordinance of Lords and Commons, bearing Date the 29. Day of August, 1648, there was a Clause inserted for the dividing of the severall Counties of England and Wales into distinct Classicall Presbyteries, where they were not already divided, which was not put in Execution accordingly, by reason whereof that work remains yet undone, Be it therefore Enacted, That the severall Justices of the Peace
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in the respective Counties, Cities, and places, within England and Wales, or any five or more of them, of the severall Counties of England and Wales, with the assistance of such Ministers and others, as they shall think fit, Do forthwith meet and consider how their severall Counties respectively may be most conveniently divided into distinct Classical Presbyteries, where they are not already divided; and what Ministers and others are fit to be of each Classis: And they shall accordingly make such Division and Nomination of Persons for each Classical Presbytery: which Divisions and Persons so named for every Division, shall be certified by the said Commissioners to the Lord Keeper, or Lords Commissioners for Custody of the Great Seal for the time being. And that the Chancellor, Vice-Chancellors, and Heads of the Universities, do likewise consider how the Colledges and Halls may be put into Classical Presbyteries, and do certify the same up to the said Lord Keeper, or Lords Commissioners for Custody of the Great Seal. And that the said Certificate be made before the 29. Day of September next, which the Council of State is required to approve and confirm the same as they shall think fit, immediately upon receipt of such Certificates, and cause the same to be Registered by the Clerk of the Commonwealth in Chancery. Provided, That this Act, and every thing therein contained, shall be and stand in force onely untill the Parliament take further Order.

Wednesday,

Wednesday, March 14. 1659.

Ordered by the Parliament, That this Act be
forthwith Printed and Published.

THOMAS St. NICHOLAS,

Clerk of the Parliament.

LONDON,

Printed by *John Streater*, and *John Mauck;*
Printer to the Parliament. 1659.

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